

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

PRESENT: Parella, Herreshoff, Calouro, Stuart, and Sweeney

ALSO PRESENT: Antonio A. Teixeira, Town Administrator
Andrew M. Teitz, Esq., Assistant Solicitor

The Council met in regular session on Wednesday evening, March 27, 2013 in the Town Hall, Council Chambers, beginning at 7:01 o'clock PM, Council Chairman Parella presiding:

Herreshoff/Calouro - Voted
unanimously to suspend the regular
order of business and consider
agenda item H1 at this time.

Prior to the vote taken, Council Chairman Parella noted the presence of Kenneth Block, President of the Rhode Island Taxpayers association who planned to address the Council.

The discussion and action concerning agenda item H1 appears, in place, below.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Calouro - Voted
unanimously to approve the Consent
Agenda withholding agenda item HH11
for further consideration.

Prior to the vote taken, Councilman Herreshoff requested that agenda item HH11 might be withheld from the Consent Agenda for further consideration.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - January 30, 2013

Calouro/Sweeney - Voted unanimously
to approve these minutes as
prepared and presented.

2. Town Council Special Meeting - February 20, 2013 (final version)

Calouro/Sweeney - Voted unanimously
to approve these minutes as
prepared and presented.

3. Town Council Special Meeting - March 14, 2013

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Calouro/Sweeney - Voted unanimously to approve these minutes as prepared and presented.

B. PUBLIC HEARINGS

1. Joan Brito, for 1776 Liquors, Ltd., d/b/a 1776 Liquors, 597 Metacom Avenue - Request for Transfer of Class A Intoxicating Beverage License to Elizabeth Brito (new stockholder), (combine with agenda item D1 below)

- a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted unanimously to close the public hearing.

Herreshoff/Calouro - Voted unanimously to grant transfer of this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Council Chairman Parella opened the public hearing.

Speaking in favor of the petition was Alfred R. Rego, Jr., Esq., for the petitioner. Mr. Rego informed the Council that this is only a transfer of the majority stockholder.

There was no further testimony provided in favor of the petition.

There was no remonstrance presented in opposition to the petition.

2. William J. Delaney, Receiver for Prince Investment Group, LLC, (Ricc's North End Trattoria), 200 Gooding Avenue - Request for Transfer of Class B-V Intoxicating Beverage License to B. Peter Sebring, for Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar (new owner/name), (combine with agenda item D2 below)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

- a. Recommendation - Town Administrator and Fire Chief
- b. Claim of Dominee Maria Mello, Vice President, Mello's Fruitland, Inc.

LATE ITEM

- c. Recommendation - Town Administrator and Chief of Police

Calouro/Sweeney - Voted unanimously to continue this public hearing and agenda items D2 and D3 until Wednesday, April 24, 2013 at 7:00 o'clock PM.

Prior to the vote taken, Assistant Solicitor Teitz reported a conversation with Mr. Delaney in which the petitioner informed him that the parties are not in a position to move forward at this time and request a continuance.

Councilman Herreshoff asked to know how the Council deals with the claim filed with Assistant Solicitor Teitz responding that typically these petitions are granted subject to the resolution of all claims.

Assistant Solicitor Teitz also reported that if the debts were resolved through the receivership, the receiver has the responsibility to produce documents to this effect.

C. ORDINANCES

- 1. Ordinance #2013-05, Chapter 8, Boats, Docks and Waterways, Article III, Harbor Commission Advisory Committee, Section 8-92, Membership (increase maximum number of members from 6 to 7), **2nd reading for adoption**

Herreshoff/Sweeney - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2013-05. Advertise in local newspaper.

- 2. Ordinance #2013-06, as amended, Chapter 18, Parks and Recreation, Article I, In General, Sections 18-2, Definitions and 18-7, Prohibited acts constituting violations (snowmobiles), **2nd reading for adoption**

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Herreshoff/Sweeney - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2103-06, as amended. Advertise in local newspaper.

Prior to the vote taken, Recreation Director Burke explained that the ordinance is the result of his experience with snowmobilers disturbing pavers and patios and athletic fields at the Town Beach. He noted that Colt State Park allows snowmobiling and that it is difficult to differentiate between Town property and Park property; resulting in damage to areas technically unsuitable for snowmobile use.

Councilman Herreshoff noted that new signage would be needed to prevent this activity with Recreation Director Burke responding that he would install suitable signage.

A discussion ensued regarding the penalty for violation of the ordinance with Assistant Solicitor Teitz responding that the general penalty found in Section 18-4 will suffice.

3. Ordinance #2013-07, Chapter 11, Fees and Charges, Section 11-1, Comprehensive Schedule of Fees, Subsection (43), Mooring and docking fees, **1st reading**

Herreshoff/Calouro - Voted unanimously to consider this action to constitute the first reading of Ordinance #2013-07. Advertise in local newspaper.

Prior to the vote taken, a discussion ensued regarding the rationale for this action. It was noted that the Harbor Commission indicates that this may be an intermediate step while the transient dock and mooring efforts are considered this season.

Assistant Solicitor Teitz noted that the ordinance may need a "whereas clause" to explain the rationale and agreed to provide same.

D. LICENSING BOARD - NEW PETITIONS

1. Joan Brito, for 1776 Liquors, Ltd., d/b/a 1776 Liquors, 597 Metacom Avenue - Request for Transfer of Class A Intoxicating Beverage

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

License to Elizabeth Brito (new stockholder),
(combined with agenda item B1 above)

See agenda item B1 above.

2. William J. Delaney, Receiver for Prince Investment Group, LLC, (Ricc's North End Trattoria), 200 Gooding Avenue - Request for Transfer of Class B-V Intoxicating Beverage License to B. Peter Sebring, for Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar (new owner/name), (combined with agenda item B2 above)

See agenda item B2 above.

3. B. Peter Sebring, for Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar, 200 Gooding Avenue - Request for Victualling License
 - a. Recommendation - Town Administrator and Department of Water Pollution Control
 - b. Recommendation - Town Administrator and Fire Chief
 - LATE ITEM** c. Recommendation - Town Administrator and Chief of Police

See agenda item B2 above.

4. Ronald J. Goldsmith, for Contemporary Landscaping, Inc., 80 East Hill Drive, Cranston, RI - Request for Drainlayer's License
 - a. Recommendation - Town Administrator and Director of Public Works

Stuart/Sweeney - Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

5. Stephen Squatrito, for Weavers Management, Inc., d/b/a Backroad Grille, 549 Metacom Avenue - Petition for Transfer of Class B-V Intoxicating Beverage license to Charles D.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Frizado, Jr., for Wing-N-It, Inc., d/b/a Wing-N-It (new name/owner), **call for public hearing April 24, 2013**

Calouro/Sweeney - Voted unanimously to call for a public hearing to consider this matter for April 24, 2013, beginning at 7:00 o'clock PM. Advertise in local newspaper.

6. John C. Howard, for Children's Organ Transplant Association (COTA) for Kavan B - Request for One-Day Dancing and Entertainment License, May 25, 2013 (Pro Wrestling Exhibition to be held at VFW Post 237, 850 Hope Street)

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted unanimously to grant this petition per the recommendations received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

E. LICENSING BOARD - RENEWALS

1. Dog Kennel License Renewals (2013-2014)
 - a. Recommendation - Town Administrator and Chief of Police

Calouro/Herreshoff - Voted unanimously to grant renewal of these licenses per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

F. PETITIONS - OTHER

1. Melanie Ramos, 34 Addy Drive - Claim for Property Damage

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Herreshoff/Calouro - Voted
unanimously to refer this matter to
the Insurance Committee.

2. Erika Saviano, 48 Constitution Street - Claim
for Property Damage

Herreshoff/Calouro - Voted
unanimously to refer this matter to
the Insurance Committee.

3. Ryan Garrity, for Mt. Hope High School
Robotics Club re Request for Support

Calouro/Sweeney - Voted unanimously
to appropriate \$1000 from the Town
Council Contingency account in
support of this endeavor.

Prior to the vote taken, Mr. Garrity introduced the students
present and explained that the robot was not operational at
the moment. He suggested that the students might describe
verbally its capabilities.

Mr. Garrity also reported that several local engineering
products firms advised with the design and fabrication of
the robot components including Technicoat and East Bay
Manufacturing. He added that there is a great deal of
science and math skills employed in the competition.

Mr. Garrity also explained the process and that the team was
moving up to the world championship.

It was noted that the team will be the beneficiary of the
proceeds of a pasta dinner to be held in the High School
cafeteria on April 5, 2013 and that there will be a silent
auction and tickets are on sale at \$12 each.

Mr. Garrity explained that some of the students participated
last year and that there are currently no high school
seniors participating. He further explained that he expects
to advise many of the same students next year.

4. Julia M. Araujo, 562 Wood Street - Request
for Handicapped Parking Space in Front of
Residence, **1st reading**

- a. Recommendation - Town Administrator and
Chief of Police

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Herreshoff/Calouro - Voted unanimously to consider this action to constitute the first reading of a request for a handicapped parking space. Continue this matter until the meeting of April 24, 2013 for second reading.

G. APPOINTMENTS

1. Public Service Appointments

a. Harbor Commission (2) (terms to expire in March 2016)

1. John Troiano, 707 Hope Street - interest/reappointment
2. Daniel Eagan, 3 Everett Street - interest/appointment

LATE ITEM

3. David F. Miller, 70 Gibson Road - interest/reappointment

Councilman Herreshoff nominated Mr. Miller for reappointment.

There were no counter-nominations.

Herreshoff/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Miller with term to expire in March 2016.

Herreshoff/Calouro - Voted unanimously to instruct the Clerk to set an interview for Messrs. Troiano and Eagan at a time convenient to the parties.

b. Zoning Board of Review (term to expire in March 2018)

1. Joseph P. Asciola, 1220 Hope Street - interest/reappointment

Councilman Calouro nominated Mr. Asciola for reappointment.

There were no counter-nominations.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Calouro/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Asciola with term to expire in March 2018.

- c. Zoning Board of Review - Alternate Members (2) (terms to expire in March 2015)
 - 1. Diamantino Fonseca, 227 Thames Street - interest/reappointment (first alternate)
 - 2. Steven M. Hudak, 70 Franklin Street - interest/reappointment (second alternate)

Councilman Herreshoff nominated Mr. Fonseca and Mr. Hudak for reappointment to their respective positions.

There were no counter-nominations.

Herreshoff/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of Mr. Fonseca as first alternate and Mr. Hudak as second alternate with terms to expire in March 2015.

- d. Board of Fire Engineers
 - 1. Fire Chief Martin re Board of Fire Engineers - elected candidates per Town Code § 12-57

Councilman Herreshoff nominated the slate of elected candidates for appointment per the provisions of the Town Code.

Herreshoff/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of the slate of elected candidates for the ensuing term.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

- e. Harbor Commission Advisory Committee
(vacant unexpired term to expire in August 2013 & Ref. Ordinance #2013-05 new member, term to expire in August 2014)
 - 1. Andrew Noronha, 19 Monroe Avenue - interest/appointment
 - 2. Michael Donahue, 108 State Street - interest/appointment

Councilman Herreshoff nominated Mr. Noronha to the vacant unexpired term to expire in August 2013 and Mr. Donahue to the term to expire in August 2014.

There were no counter-nominations.

Herreshoff/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of Messrs. Noronha and Donahue to the terms so noted.

H. OLD BUSINESS

- 1. Harry L. Staley, Chairman, R.I. Taxpayers (formerly Rhode Island Statewide Coalition) re Proposed Master Lever Resolution (see agenda items GG3 and GG5), **continued from March 6, 2013**

- a. Harry Staley re Appearance of Ken Block

Herreshoff/Sweeney - Voted unanimously to adopt the resolution as proposed by R.I. Taxpayers in its entirety.

Prior to the vote taken, Ken Block, President of R.I. Taxpayers provided Council members with a handout and reviewed same. He explained that his organization analyzed the result of a Burrillville election and the results as a result of the use of the Master Lever option.

He also explained that there were 8,600 voters who chose the master lever for the Moderate Party when there were no Moderate candidates appearing on the ballots for those voters.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Mr. Block requested that the Council might consider passage of a resolution in support of eliminating the master lever in Rhode Island.

Responding to questions posed by Councilman Herreshoff, Mr. Block explained that the use of the master lever is many times misunderstood by voters.

Councilman Herreshoff asked to know if the bill intended to eliminate the master lever was worded correctly with Mr. Block responding that it was.

Councilman Herreshoff asked to know if the bill will get a vote in the General Assembly during this session with Mr. Block responding that the bill has been heard already in the House and will be considered in the Senate next week.

Council Chairman Parella asked to know if many cities and towns had passed similar resolutions with Mr. Block explaining that there were fifteen (15) or sixteen (16) passed already with a possibility of an additional ten (10).

Council Chairman Parella stated that she recalls that there were similar bills in the past and that these were not approved by the General Assembly.

Mr. Block explained that the House Judiciary Committee appears to be in favor of passage and that he expects the same result in the Senate.

Councilman Calouro asked to know the nature of the opposition with Mr. Block responding that he heard no valid reason presented in opposition to passage of the bill.

Council Chairman Parella asked to know if the "mainstream" parties are in favor of passage with Mr. Block responding that most appear to be in favor of passage.

Councilman Stuart stated that he prefers it if the voter completes the arrow next to his name rather than relying upon the master lever. He added that he was concerned that the voters are not properly educated in the fine points of the ballot and that he would prefer if the voters would be better instructed in the use of the ballot versus eliminating the master lever.

Mr. Block indicated that there are scholarly papers written in opposition to the master lever. He added that the finer points of ballot use are sometimes difficult to understand

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

and that he believes that the problems associated with the master lever appear to be at a great degree unsolvable.

Councilman Sweeney stated that he believes it to be a good idea to eliminate the master lever and that with it will go a great deal of confusion precipitated by the ballot. He also stated that he understands that the master lever is incompatible with a new voting system being contemplated by State officials.

Councilman Calouro asked to know if the results of Burrillville would mirror those of the State.

2. Michael J. Goetz, Chief, Risk Analysis Branch, FEMA Region 1 re Preliminary Flood Insurance Rate Map (FIRM) and Preliminary Flood Insurance Study (FIS) Report - review and comment, **continued from March 6, 2013**

LATE ITEM

- a. Michael J. Goetz re Community Coordination Officer's (CCO) Meeting, April 1, 2013 (10 o'clock AM at Rogers Free Library)

LATE ITEM

- b. Director of Community Development Williamson - Report re Updated Coastal Flood Insurance Rate Maps

Calouro/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Director of Community Development Williamson reported that FEMA is in the process of updating its maps. She further reported that these maps were last updated in 2006 utilizing data from the 1980s.

She noted that the various Town departments were asked to submit changes to the maps if known including road names and also that questions regarding flood data will be reacted to during a ninety (90) day comment period.

Director of Community Development Williamson added that there are two sets of maps available for review and that there is one set at the Community Development office and the other available at Town Hall. She added that her department plans to make the maps available via the Town's website and that there will be a notice of a community meeting.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

She added that the attached "fact sheet" will be available on-line also.

Director of Community Development Williamson further reported that when the comment period is concluded, the Council will be asked to review the current ordinance and adopt anything that might be new.

Councilman Calouro asked to know if anything in particular was "standing out" with Director of Community Development Williamson reporting that she attended an early meeting and that some of the flood elevations will change and that the changes will contain good and bad news.

A discussion ensued regarding "grandfathering."

Council Chairman Parella asked to know who plans to attend the meeting with Director of Community Development Williamson responding that the meeting is intended for Town Officials.

Council Chairman Parella asked to know what will happen if the Town does not agree with the changes to the maps with Director of Community Development Williamson responding that the Council must approve of the changes.

Councilman Herreshoff asked to know where ideas should be submitted with Director of Community Development Williamson responding that ideas should be provided to her department.

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Dan Beardsley, Executive Director, Rhode Island League of Cities and Towns - Request for Council Consideration re adoption of Resolutions in opposition to binding arbitration and contract continuation legislation
 - a. (Draft) Resolution Opposing Binding Arbitration Legislation (legislation attached)
 - b. (Draft) Resolution Opposing Contract Continuation Legislation (legislation attached)

Herreshoff/Calouro - Voted
unanimously to adopt the foregoing

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

resolutions in their entirety "with vigor."

Prior to the vote taken, Councilman Herreshoff stated that this matter continues to "rear its ugly head." He added that the adoption of binding arbitration would remove the Town's authority to settle contracts.

2. Ford K. Sayre, 47 Sea Breeze Lane - Request for Council Consideration re adoption of Resolution in support of Senate Bill 337 and House Bill 5498

- a. (Draft) Resolution in support of proposed referendum relating to RI Code of Ethics (legislation attached)

Calouro/Sweeney - Voted unanimously to adopt this resolution as prepared and presented.

Prior to the vote taken, Mr. Sayre informed the Council that he is on the advisory board of Common Cause RI.

Mr. Sayre introduced Frank DeGregorio.

Mr. DeGregorio noted that the measure passed the State House of Representatives last year and that he would like to see a referendum to allow the voters to decide whether or not the General Assembly should be subject to the Ethics Commission.

Council Chairman Parella asked to know if any other communities have adopted similar resolutions with Mr. DeGregorio responding that South Kingstown has adopted a resolution and that there are "18-20 out there" being considered by other municipalities.

He added that the group is attempting to get local Common Cause members to present the request to the various Town and City Councils.

Council Chairman Parella asked Mr. DeGregorio to explain his request with Mr. DeGregorio responding that the original statute of 1986 provided that the General Assembly would be subject to the ethics regulations. He noted in the "Irons Case" it was determined that the General Assembly did not fall within the purview of the Ethics Commission due to its "speech and debate" clause.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Assistant Solicitor Teitz noted that the "speech and debate" issue is routed in old "common law." He noted that the Ethics Commission provides control as to matters of conflict of interest and that it essentially serves as a "fourth branch of government" for this purpose.

Councilman Sweeney stated that he believes that all public officials should be subject to the same set of rules.

Council Chairman Parella asked to know if the resolution to have a ballot question is intended to provide for a Constitutional Convention with Mr. DeGregorio responding that Common Cause does not have a position on a Constitutional Convention but rather it recommends a ballot referendum on the matter.

3. James N. Russo, Federal Coordinating Officer, FEMA and Edward W. Johnson, Alternate State Coordinating Officer, R.I. Emergency Management Agency re Hurricane Sandy Recovery Efforts Support - Certificate of Appreciation

Herreshoff/Sweeney - Voted
unanimously to receive and place
this matter on file.

4. Charles C. Cavalconte, Chairman, North and East Burial Grounds Commission [sic] re Proposed Fee Schedule Amendment

Herreshoff/Calouro - Voted
unanimously to continue this matter
until the meeting of April 24,
2013.

Prior to the vote taken, Councilman Herreshoff and Council Chairman Parella stated that they would like to see a comparison of fees and prices charged by comparable cemeteries.

Mr. Cavalconte informed the Council that he conferred with Town Treasurer Goucher regarding this matter and that there were nine (9) area cemeteries considered and that Bristol's fees and prices were the lowest of the group.

Council Chairman Parella asked to know if the matter can be held in abeyance pending Council review of the comparative data.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Mr. Cavalconte responded that it would be possible to allow the Council time to make its review.

5. Councilman Herreshoff re Advanced Idea for
FY15 Budget - 805 Human Resources

Herreshoff/Calouro - Voted
unanimously to refer this matter to
the Town Administrator, Councilman
Herreshoff and Council Chairman
Parella for a recommendation for
consideration at the meeting of
June 5, 2013.

Prior to the vote taken, Councilman Herreshoff suggested that the Council might consider a "change of process" concerning its "Human Resources" budget.

Councilman Herreshoff recalled that the budget began as a "modest" amount and that it has evolved into a much larger scale budget. He added that he believes it advisable to have a "more formal process" to scrutinize the grant requests.

Councilman Herreshoff reported that the budget is rooted in some fifty (50) bequests formerly known as "poor funds" with most of these intended to "do good" for the less fortunate.

He stated that he believes the process needs a thorough review and that the Town should be certain that it is following the wishes of the original benefactors. He also noted that the Town should take measures to allow the principal of the funds to grow sufficiently to assure that there will be funds available in perpetuity as intended.

Council Chairman Parella suggested that a committee consisting of Councilman Herreshoff, Town Treasurer Goucher, Town Administrator Teixeira and Council Chairman Parella might meet sometime in the summer to "get a handle" on the situation and report back to the Council in the Fall.

Councilman Herreshoff agreed to give the matter some additional thought and Town Administrator Teixeira agreed to do the same.

Councilman Stuart suggested that the Advisory Committee for the CDBG might be able to provide assistance.

Council Chairman Parella stated that she was uncertain as to whether or not the Council wishes to "hand over" the

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

administration of the funds. She also expressed concern that the Council should not make the application process too difficult for small organizations which may have no staff and a limited ability to complete a complicated application.

Council Chairman Parella stated that she believes that the initial meeting should consider the usual applicants and attempt to apply rules that would be acceptable to the least sophisticated of these.

Councilman Herreshoff stated that he would like to assure that the Town receives "the best bang for the buck."

Councilman Stuart agreed that the budget for this process has "imploded" and that the original intent may have become lost in the addressing of the individual requests.

6. CDBG Program Manager Turbeville re PY 2013
Community Development Block Grant -
Projects/Programs and Draft Resolution

Calouro/Stuart - Voted unanimously to adopt this resolution, contingent upon the approval of the Planning Board confirming its compatibility with the Town Comprehensive Plan.

Prior to the vote taken, Ms. Turbeville reminded the Council that she provided program data last week during the budget deliberations and she requested passage of the resolution since the application is due on April 19. She also requested that the passage of the resolution should be made contingent upon the concurrence of the Planning Board.

Councilman Herreshoff suggested that the Council might consider adding a few items to the application in order to provide for a few "throw away" items.

Ms. Turbeville reminded the Council that the Town cannot apply for more than \$300,000 and that nothing else would qualify for consideration.

Councilman Herreshoff asked to know if the Town may ask for more money overall with Ms. Turbeville responding that the scores could be impacted by an impractical application.

Councilman Stuart asked to know if the project contemplated by the Bristol Housing Authority would qualify with Ms. Turbeville reporting that it may not qualify.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Councilman Stuart stated that BHA Executive Director Candace Pansa was unaware of the application with Ms. Turbeville reporting that the Housing Authority was aware of the application.

Council Chairman Parella told Ms. Turbeville that it would be advisable if she (Ms. Turbeville) reached out to Ms. Pansa next year since project management can be a major component.

Ms. Turbeville stated that the financing would have to be in place first. She added that there is a deadline to meet and that it is too late to make significant changes.

Council Chairman Parella stated that her point was exactly that and that it would be one year before the next application and that it would be advisable if Ms. Pansa and Director of Community Development Williamson developed a strategy for the next application.

Councilman Calouro asked to know if the amounts requested for the Bristol Industrial Park may be cut back by the State with Ms. Turbeville explaining that this is possible depending upon what is "out there." She added that the State may wish to cut back on projects previously funded in order to "cut the cord."

Councilman Calouro stated that this may be a good reason to prevent a diversified application.

Ms. Turbeville explained that the amount requested for Bristol Industrial Park is to repair one roof.

Town Administrator Teixeira asked to know if the application process was advertised with Ms. Turbeville responding that she began getting telephone calls in December and January and that the application period was advertised.

7. Council Clerk Cirillo re Harbormaster Applications

Herreshoff/Stuart - Voted to reaffirm the deadline of December 31, 2012 as previously agreed. Voting in favor of this motion were Council Chairman Parella, Councilman Herreshoff, Councilman Stuart and Councilman Sweeney.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Councilman Calouro was recused from the discussion and vote.

Prior to the vote taken, the Clerk reported that he received inquiries concerning the acceptance of late applications and suggested that the Council should determine if it wishes to consider these.

Councilman Herreshoff stated that the Town has established a process and that it should leave the process alone.

Councilman Stuart agreed, stating that "the deadline is the deadline."

David Barboza, Chairman of the Search Committee agreed with Councilman Herreshoff and Councilman Stuart.

8. Town Administrator Teixeira re Poppasquash Road Project

a. Councilman Herreshoff re Poppasquash Road

Herreshoff/Calouro - Voted unanimously to continue this matter until the meeting of April 24, 2013.

Prior to the vote taken, Town Administrator Teixeira reported that Mr. Smith was unable to be here and that the project was delayed somewhat due to weather conditions. He added that he is advised that the project will be essentially complete by April 14, 2013.

Councilman Herreshoff expressed concern since there were completion dates touted in January, February and March.

Town Administrator Teixeira stated that he was assured that the April date was final.

Councilman Herreshoff expressed concern that the road will be a "horror show" in the summer if it is not thoroughly complete. He suggested that the project might be split into two parts if not completed according to the April 14 schedule.

Town Administrator Teixeira stated that he was assured about the April date. He added that there is a second phase which will resurface all of the State roads.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Council Chairman Parella suggested that the matter might be placed on the April agenda.

9. Town Administrator Teixeira re Proposed Changes to RIPTA Route 60

Stuart/Calouro - Voted unanimously to instruct the Clerk to prepare a resolution for Council consideration in support of the Town Administrator's recommended "Scenario 2."

Prior to the vote taken, Council Chairman Parella asked Town Administrator Teixeira to report on this matter with Town Administrator Teixeira explaining that the State is being asked to maintain the route and provide a park and ride location. He added that Principal Planner Tanner is attending the meeting on this issue to be held in Barrington and that he asks the Council to support the Town's position by passing a resolution.

10. Jim Dollins, Vice-chairman, Harbor Commission re Proposed Transient Dock and Mooring Fee Policy

Herreshoff/Calouro - Voted unanimously to continue this matter until the meeting of April 24, 2013.

Prior to the vote taken, Mr. Dollins explained that the Harbor Commission is unanimous in its recommendation.

He noted that the structure is designed to help attract visitors and that the group agrees to change the previous time frame of twenty (20) minutes to thirty (30) minutes.

Council Chairman Parella asked to know if there was citizen input with Mr. Dollins responding that there was citizen input.

Councilman Sweeney asked to know the rationale on the twenty (20) minute issue with Mr. Dollins responding that the twenty minutes is to on-load or off-load, supplies, etc.

Councilman Herreshoff agreed that the fee structure is designed as one which can be adjusted as needed and that the intention is to experiment with it for a while.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Mr. Dollins agreed that it would be advisable to experiment with the fee structure and to make further recommendations to the Council based upon experience.

Mr. Dollins agreed to bring any suggestions for changes to the Clerk for inclusion on the Council docket as the need for these becomes apparent.

J. BILLS & EXPENDITURES

1. Bid #776 - 2013 Spring Tree Planting

Calouro/Stuart - Voted unanimously to refer this matter to the Town Administrator and Director of Community Development to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following bids as received:

Central Nurseries	Johnston, RI	\$8247.25
M-O-N Landscaping	North Dartmouth, MA	\$9786.50
Yard Works, Inc.	Warwick, RI	\$7794.00

K. SPECIAL REPORTS

1. Town Administrator Teixeira re Department Reports

- a. Tax Assessor/Collector - Received March 22, 2013
- b. Rogers Free Library - Prepared March 22, 2013
- c. Fire & Rescue - Period Ending March 2013
- d. Public Works - November 2012
- e. Public Works - December 2012
- f. Public Works - January 2013
- g. Public Works - February 2013
- h. Building Inspection - November 1, 2012 through February 28, 2013 Inclusive

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

- i. Parks and Recreation - Prepared February 25, 2013
- j. Harbormaster - Prepared February 4, 2013
- k. Harbormaster - Received March 22, 2012
- l. Water Pollution Control - Prepared March 21, 2013

Calouro/Herreshoff - Voted
unanimously to receive and place
this matter on file.

L. TOWN SOLICITOR

- 1. Assistant Solicitor Teitz re Request for
Executive Session Pursuant to RIGL § 42-46-
5(a)(5) - Acquisition of Real Property

*It is hereby noted for the record that action on this agenda
item took place at the conclusion of the public agenda as
found below.*

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

a. Special Event Recycling - Council Chairman
Parella suggested that the Town might contact the
various church committees which hold special
events in an attempt to encourage recycling of
beverage containers, etc. She noted that there
will soon be several well-attended events and that
the Town may be able to increase its recycling
through this effort.

Town Administrator Teixeira suggested that
recycling might become a condition of approval of
special event licenses.

Councilman Stuart suggested that the Town might
seek an accommodation and that it may not wish to
mandate the effort.

Councilman Sweeney suggested that the Town might
provide a container to simplify the process so as
to encourage the event workers to readily
participate.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

b. Happy Easter - Happy Spring - Council Chairman Parella noted the onset of spring and the approach of the Easter holiday and extended the Council's best wishes.

2. Herreshoff

a. Budget Workshops - Councilman Herreshoff noted that the recent budget workshop sessions had been particularly difficult due to the school population shift and the expected further reduction in State aid to education.

Councilman Herreshoff noted that the Council attempted to reduce expenditures and that he believes that further cuts should be considered. He suggested that the public should attend the remaining budget related sessions. He noted that the Town has the eighth lowest tax rate in Rhode Island.

b. Budget Workshop Leadership - Councilman Herreshoff noted that it was a pleasure for him to participate in the budget workshops as these were led by Council Chairman Parella.

3. Calouro

a. Joint Finance Committee - Councilman Calouro reported that the meeting of the Bristol Warren Regional Joint Finance Committee went smoothly. He also reported that he assumed the Chairmanship of the Committee at a late date.

Councilman Calouro explained that he plans to have additional meetings of the Committee to discuss the recommendations of the so-called Sub-committee with the hope that the budget approval process will be made "smoother with no surprises."

b. Mooring and Dock Fees - Councilman Calouro suggested that the Council might examine the various mooring and dock fees of the Town with the idea of bringing these in-line with neighboring communities.

c. Happy Spring and Happy Easter - Councilman Calouro extended best wishes for the spring season and Easter Holiday.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

d. Keep Bristol Clean - Councilman Calouro noted that the annual town-wide cleanup program will be held on April 20, 2013.

4. Stuart

a. Budget Hearings - Councilman Stuart noted that the public hearing on the budget is forthcoming. He noted that he is not pleased that the tax rate will increase but that he understands the need to maintain Town services.

b. Benjamin Church Senior Center - 40th Anniversary - Councilman Stuart noted that the Benjamin Church Senior Center celebrated its 40th Anniversary on Sunday, March 23, 2013.

c. Baseball Season - Councilman Stuart announced the beginning of baseball season.

d. Dr. Charles McDonald - Councilman Stuart recognized the accomplishments of Bristol resident Charles McDonald, MD, who was named to the Rhode Island Heritage Hall of Fame.

5. Sweeney

a. Budget Process - Councilman Sweeney stated that he appreciated the information provided by the various department managers during the recent budget deliberations. He noted that the workshops were very constructive.

b. All Bands Event - Councilman Sweeney noted the recent All Bands Concert held at Roger Williams University. Councilman Sweeney also noted that Robert Arsenault, Band Director, was recognized for his twenty-five years of service.

c. Robotics Pasta Event - Councilman Sweeney reminded those present that the Robotics Club at Mt. Hope High School will hold a fundraiser to support this year's team on April 5, 2013.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. EMA Citizen Response Team - Town Administrator Teixeira reported that the Town will sponsor an EMA Citizen Response Team through the Fire Department similar to the Citizen Police

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

Academy. He noted that the first session will be held on April 9, 2013 at the Fire Department Headquarters beginning at 6:30 o'clock PM.

b. Happy Easter - Passover - Town Administrator Teixeira noted the approaching Easter and Passover observances and extended the Town's best wishes.

CITIZENS PUBLIC FORUM

Consent Agenda Items:

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Approval of consent agenda="Motion to receive and place these items on file."

1. Board of Fire Engineers - March 4, 2013
2. Harbor Commission - March 4, 2013
3. Post Retirement Benefits Fund Board of Trustees - November 14, 2012
4. Bristol Housing Authority - February 20, 2013
5. Economic Development Commission - February 11, 2013

(CA) BB. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. (Tax Assessor Belair) re Abatements and Additions

(CA) CC. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place these items on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, March 22, 2013

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

Approval of consent agenda="Motion to adopt these Proclamations, Resolutions and Citations as prepared and presented."

1. Commendation - Emma Dimond Brown, Contributions to Benjamin Church Senior Center
2. Commendation - Maria Ursini, Benjamin Church Senior Center's 40th Anniversary
3. Commendation - Matthew Vincent Ciociola, Eagle Scout Court of Honor

(CA) EE. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

(CA) FF. UPCOMING APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. April Public Service Appointments for Advertising

(CA) GG. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

Approval of consent agenda="Motion to receive and place these items on file."

1. Kathy M. Silvia, Newport Town Clerk - Resolution re Gun Safety
2. Amy Rose Weinreich, Charlestown Town Clerk - Resolution re Gun Safety
3. Amy Rose Weinreich, Charlestown Town Clerk - Resolution re Request to Support Repeal of RIGL §17-19-15 Party Levers, or Master Lever Voting
4. Kathleen M. Silvia, Newport City Clerk - Resolution re Request for Support of Proposed Legislation to Amend RIGL §42-46 Open Meetings (meetings via video conferencing)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

5. Lynn M. Hawkins, Exeter Town Clerk -
Resolution re Request for Support of Senate
Bill 0044 and House Bill 5072 Acts Relating
to Elections - Conduct of Elections

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

**Approval of consent agenda="Motion to receive and place
these items on file."**

1. Class F Alcoholic Beverage License - East Bay
Bulldogs, East Bay Baseball Academy, 47
Gooding Avenue, March 23, 2013
2. Warrant - Gina DiCenso, Assistant Town
Solicitor
3. T. Cecile Drouin CPS, Division of Forest
Environment, RI Department of Environmental
Management re Approved Tree Warden
Appointment for 2013 - Michael King
4. Town Solicitor Ursillo to Rep. Kenneth A.
Marshall re 2013 - H5600, Establishment of
Prudence Island Ferry Authority - amend to
add 3 members from Bristol
5. Donna L. Giordano, MMC, Westerly Town Clerk
re Resolution Opposing Mandatory Binding
Arbitration on Monetary Matters for Teachers
6. Council Clerk Cirillo to Sen. David E. Bates
et al re Council Resolutions - Enterprise
Zone Wage Tax Credit (signed copy attached)
and Sakonnet River Bridge Tolls (signed
original attached)
7. Council Clerk Cirillo to Gov. Lincoln D.
Chafee re Resolution - Enterprise Zone Wage
Tax Credit (signed copy attached)
8. Council Clerk Cirillo to Henry L. Staley,
R.I. Taxpayers re March 27, 2013 Council
Presentation - Straight Party Vote
9. Council Clerk Cirillo to Barrington Town
Councilwoman Ann Strong re Bristol County
Water Authority - tri-town collaboration

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

10. Council Clerk Cirillo to Raymond Cordeiro re Thank You for Service - Capital Project Commission and Rogers Free Library Board of Trustees
11. Tattoo License Renewal Petition - Ender's Ink and Art (granted March 6, 2013)

Calouro/Stuart - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Councilman Herreshoff asked Assistant Solicitor Teitz if he would provide for the Council a copy of the State Health Department regulations concerning the operation of tattoo establishments. He noted that some of these are located in "wretched storefronts" and that he would like to be assured that tattooing personnel utilize clean instruments and also that intoxicated persons are not exploited by these establishments.

Assistant Solicitor Teitz agreed to provide the regulations.

12. Town Administrator Teixeira to Manuel R. Pavao Contractor, Inc., Rehoboth, MA re withdrawal allowed of awarded Bid #769 - 2012 Sidewalk Replacement Project
13. Town Administrator Teixeira to LAL Construction Company, Inc., Fall River, MA re award of Bid #769 - 2012 Sidewalk Replacement Project
14. Wendy J.W. Marshall, CMC, Middletown Town Clerk - Resolution re request for support in Opposition to Contract Continuation Legislation
15. Wendy J.W. Marshall, CMC, Middletown Town Clerk - Resolution re request for support in Opposition to Binding Arbitration Legislation
16. Class F Alcoholic Beverage License - Official Portuguese School of Bristol, St. Elizabeth's Church, 580 Wood Street, March 23, 2013
17. Warrant - Georgina Macdonald, Bristol County Water Authority Board of Directors

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

18. Coastal Resources Management Council re Semi-Monthly Meeting Notice - March 26, 2013

(CA) II. DISTRIBUTIONS/NOTICE OF MEETINGS
(Office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. North and East Burial Ground Commission [sic] - April 5, 2013
2. Harbormaster Search Committee - March 11, 2013
3. Harbormaster Search Committee - March 12, 2013
4. Harbormaster Search Committee - March 13, 2013
5. Fourth of July Committee - March 13, 2013
6. Bristol Warren Regional School District Schedule of Meetings - Week of March 10, 2013
7. Bristol Warren Regional School Committee - March 11, 2013
8. Recreation Board - March 12, 2013
9. Bristol County Water Authority Finance Committee - March 18, 2013
10. Bristol Warren Regional School District Joint Finance Committee - March 14, 2013
11. Bristol County Water Authority Committee Meeting of the Board Agenda - March 13, 2013
12. Bristol Warren Regional School District Schedule of Meetings - Week of March 17, 2013
13. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - March 18, 2013
14. Bristol Warren Regional School District Joint Finance Committee - March 26, 2013 (amended March 21, 2013)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 27, 2013

15. Bristol County Water Authority Ad Hoc Committee - March 26, 2013
16. Bristol Warren Regional School District Schedule of Meetings - Week of March 24, 2013
17. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - March 25, 2013
18. Bristol Warren Regional School Committee Personnel/Contract Negotiation Subcommittee - March 25, 2013
19. Bristol Warren Regional School Committee - March 25, 2013
20. Animal Shelter Capital Project Committee - March 27, 2013
21. Harbor Commission - Appeals Hearing, March 26, 2013

Calouro/Sweeney - Voted unanimously to move into Executive Session pursuant to RIGL §42-46-5(a)(5) at 9:34 o'clock PM.

Stuart/Sweeney - Voted unanimously to resume open session and seal the minutes of the Executive Session at 9:49 o'clock PM.

There being no further business, upon a motion by Councilman Calouro, seconded by Councilman Sweeney and voted unanimously, the Chairman declared this meeting adjourned at 9:50 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk